

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

IN RE: Romano v. Northrop Grumman Corp. et al., No. 16-cv-5760 and Related Cases

**JOINT SUBMISSION REGARDING CLASS CERTIFICATION DEADLINES
AND REQUEST FOR ADJOURNMENT AND EXTENSION OF TIME**

Dear Magistrate Judge Tiscione:

The parties jointly submit this letter to the Court requesting a brief extension of current class certification expert deposition and briefing deadlines. The Court had set September 1, 2021 as the date for commencement of motion practice for class certification. (*See* ECF No. 127.) The parties previously filed a joint request for an extension of the schedule to allow Plaintiffs more time to identify their class certification experts, submit expert reports, and move for class certification. (*See* ECF No. 137.) The Court granted this request, modified the schedule, and set Defendants' deadline to depose Plaintiffs' class certification experts to January 21, 2022. (Order dated August 25, 2021.) While the parties endeavored to meet the Court's timeline, Plaintiffs' class certification expert reports necessitated supplemental disclosures, which were completed on December 21, 2021. The parties met and conferred regarding Plaintiffs' class certification expert reports and supplemental disclosures and agreed that more time is warranted for expert depositions. Accordingly, and given the complex nature of this case, the number of expert witnesses involved, and scheduling difficulties due to the ongoing pandemic, the parties jointly and respectfully submit for the Court's approval the following proposed modification of the Court's August 25, 2021 scheduling Order.

[PROPOSED] MODIFICATION

1. The parties respectfully request that the Court enter these dates to complete depositions of the parties' class certification experts and exchange class certification briefing:

| Event | Existing Deadline | [Proposed] Deadline |
|--|--------------------------|----------------------------|
| Defendants depose Plaintiffs' class certification experts | January 21, 2022 | March 4, 2022 |
| Service of Defendants' response to Plaintiffs' Rule 23 motion and Defendants' class certification expert reports | April 29, 2022 | June 10, 2022 |

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| Event | Existing Deadline | [Proposed] Deadline |
|---|-------------------|---------------------|
| Plaintiffs depose Defendants' class certification experts | June 10, 2022 | August 19, 2022 |
| Plaintiffs serve reply brief to Rule 23 motion and rebuttal expert reports, and file the fully briefed motion | July 11, 2022 | September 19, 2022 |

2. The parties reserve all rights regarding the scope and timing of Phase II merits discovery, to be determined after resolution of Plaintiffs' motion for class certification.

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